

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

<b>FENNER INVESTMENTS, LTD.,</b>	§	
Plaintiff	§	
	§	<b>CIVIL ACTION NO. 2:05cv5</b>
<b>vs.</b>	§	
<b>JUNIPER NETWORKS INC.,</b>	§	
<b>UTSTARCOM, INC., NOKIA, INC.,</b>	§	
<b>NORTEL NETWORKS, INC, LUCENT</b>	§	
<b>TECHNOLOGY, INC., CICSO</b>	§	
<b>SYSTEMS, INC., ERICSSON, INC.,</b>	§	
<b>ERICSSON AB,</b>	§	
<b>TELEFONAKTIEBOLAGET, LM,</b>	§	
<b>ERICSSON AND ALCATEL USA, INC.</b>	§	
Defendant.	§	

**ORDER**

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. The parties have made no objections to the Report and Recommendation.

The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge (Doc. 220) as the findings and conclusions of this Court.

Accordingly, all of Fenner's claims that Lucent's Access Point Products infringe U.S. Patent No. 6,819,670 are hereby DISMISSED without prejudice pursuant to the agreement reached by the parties on or about December 23, 2005.

**So ORDERED and SIGNED this 7th day of February, 2006.**



LEONARD DAVIS  
UNITED STATES DISTRICT JUDGE